

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
Room 220, Senate Building, Utah State Capitol Complex  
February 5, 2009**

**Members Present:** Sen. Jon J. Greiner, Co-Chair  
Rep. Eric K. Hutchings, Co-Chair  
Sen. Scott D. McCoy  
Rep. Douglas C. Aagard  
Rep. Richard A. Greenwood  
Rep. Steven R. Mascaro  
Rep. Curtis Oda  
Rep. Jennifer M. Seelig  
Rep. Larry B. Wiley

**Members Excused:** Pres. Michael G. Waddoups

**Staff Present:** Gary Ricks, Fiscal Analyst  
Gary Syphus, Fiscal Analyst  
Carrie Griffith, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Greiner called the meeting to order at 2:25 p.m.

The Attorney's General's Office provided a handout which gives information and data they presented to the Subcommittee during the February 4, 2009 meeting.

As a continuation from the previous meeting, agency discussions were the main item for the day's agenda. Handouts detailing budget summaries were distributed for each of the agencies below.

**State Auditor**

Auston Johnson, State Auditor, addressed the committee and gave a brief overview of the Office's duties and responsibilities, mentioning they are the financial auditors for the State of Utah. He stated the Office lost their Performance Auditors during the September 2008 Special Session. He also stated that with the impact of H.B. 3, the entire Office will need to take 4-5 days of furlough between now and June 30 of this year. Other than the above-mentioned items, the Office will function as usual until the second round of cuts for FY 2010. At that time, they will eliminate the local government division and take a furlough of eight days (one pay period), losing about 14,000 audit hours.

Mr. Johnson requested that non-lapsing status be granted to the Office, stating they make offers

to college students several months in advance and need to know the money is there to do so. He responded to questions raised by Subcommittee members.

### **Unfinished Business from the February 4, 2009 Meeting**

Tenielle Young, Federal Funds Analyst Governor's Office Planning and Budget, distributed and explained a handout on Federal Assistance Application Tracking. She answered questions raised by Subcommittee members regarding pending applications, matching funds, and other related issues.

Chris Hamlet, Homeland Security Department of Public Safety, answered questions relating to matching funds through federal grants.

The following motion refers to the Federal Funds Request Summary which was distributed in the last few meetings:

**MOTION:** Sen. McCoy moved to accept the Federal Funds Request Summary as the Base Budget number, by Departments, as provided by the Analysts. The motion passed unanimously.

### **Treasurer**

Richard Ellis, State Treasurer, accompanied by David Damschen, Chief Deputy, gave a brief overview of the duties and responsibilities of the Office, mentioning they are essentially the bank for State agencies.

Mr. Ellis stated that from the impact of H.B. 3, they will cut back on some of the subscriptions used for investments and doing credit analysis-type work. He mentioned the Office has made over \$480 million the last couple of years in investment income in behalf of State and local governments. Although they don't expect to generate that amount this year because of low interest rates, he apprised the Subcommittee that investing is a core function of the Office.

A handout detailing requests was distributed and explained by Mr. Ellis. The Office requested a FY 2009 supplemental of \$61,700 to pay vendors for services already performed relating the St. George Airport, as mentioned in S.B. 298, "State Land Acquisition," and also requested nonlapsing intent language. Requests for the FY 2010 budget include an increase in the dedicated credits revenue of \$50,000 from the current amount and nonlapsing intent language. The handout outlined a summary of nonlapsing needs if intent language were given.

Mr. Ellis noted the Office is looking at ways to cut personnel. He expressed concern that by doing so, the thinned-out staff would be given more responsibilities and greater temptation for

fraud. He wanted to avoid putting them in that situation.

Mr. Ellis responded to questions raised by Subcommittee members regarding personnel, St. George Airport, and other issues.

### **Governor**

Sandy Naegle, Fiscal Manager, distributed and explained a handout. She thanked Christine Mitchell, Director Research and Data, for helping gather the information. Ms. Naegle stated that the Office concurs with the Legislative Fiscal Analysts budget sheet. She then explained a chart within the handout showing the Office's General Fund "wish list," explaining the difference between the Analyst projections and the Governor's sheet. She requested the cut be split between the Governor's Office and the Governor's Office of Planning and Budget.

Ms. Naegle noted they will do everything they can to prevent a RIF, but have not yet looked into furloughs. She also referred the Subcommittee to page 3 of the handout which shows their suggestions for "Plan B," as requested by Rep. Hutchings in an earlier meeting. She requested non-lapsing status, stating without it, there will be no Emergency Fund for the State. A Building Block of \$234,000 was also requested for voting system software licensing, which is expiring soon.

Ms. Naegle responded to questions raised by Subcommittee members.

### **Commission on Criminal and Juvenile Justice (CCJJ)**

Dave Walsh, Budget Analyst, accompanied by Ron Gordon, Director Crime Reparation Office, addressed the Subcommittee. Handouts were distributed and discussed by Mr. Walsh and Mr. Gordon.

Mr. Walsh gave a brief overview of the Agency's mission and functions and showed a organizational chart of the Agency. He requested they be granted non-lapsing authority for programs such as CEASE DUI, Judicial Performance Evaluation Commission and Sexual Exploitation of Children Prevention.

Mr. Gordon gave a background of Crime Victim Reparations Fund Balance. He explained a graph which shows the balance of the Fund Balance at the end of each fiscal year beginning in FY 2002 through the present. He further explained other budget issues to the Subcommittee.

Recent accomplishments of the Agency were detailed by Mr. Walsh, specifically mentioning the establishment of a gang task force.

### **Department of Public Safety**

Lance Davenport, Commissioner, assisted by Joe Brown, Administrative Services Director, addressed the Subcommittee. A packet containing the below-mentioned information was distributed.

Time was turned over to Mr. Brown who showed a power point presentation detailing the following: (1) Organization Chart; (2) Department--by Line Item; (3) Strategy and Performance Management; (4) Brief Budget Overview; (5) Budget Reductions FY 2010; (6) Budget Requests; (7) Non-lapsing Carryover Authority; and (8) Intent Language. Pertinent information can be found therein regarding budget and department information.

Chris Hamlet, Homeland Security, and Rich Townsend, Deputy Commissioner, responded to questions raised by Subcommittee members.

MOTION: Rep. Aagard moved to adjourn the meeting. The motion passed unanimously.

Sen. Greiner adjourned the meeting at 5:09 p.m.

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Sen. Jon J. Greiner, Co-Chair

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Rep. Eric K. Hutchings, Co-Chair